

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
NORTHWESTERN DIVISION**

Major Drilling America, Inc.,

Plaintiff,

vs.

Redemption Energy, LLC,

Defendant.

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**ORDER**

Case No. 4:13-cv-048

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On May 16, 2013, plaintiff filed a Motion for Default Judgment and Motion for Bill of Costs (Statement of Costs and Disbursements). On May 17, 2013, defendant filed an answer to plaintiff's complaint along with a response in opposition to plaintiff's Motion for Default Judgment.

It is well established that default judgments are not favored by the law. United States v. Harre, 983 F.2d 128, 130 (8th Cir. 1993). Rather, there is a "judicial preference for adjudication on the merits." Johnson v. Dayton Elec. Mfg. Co., 140 F.3d 781, 783 (8th Cir. 1998). Here, plaintiff has suffered no appreciable prejudice by defendant's delay in filing its answer. Plaintiff's motions (Docket Nos. 6 and 11) are therefore **DENIED**.

**IT IS SO ORDERED.**

Dated this 4th day of June, 2013.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr.

United States Magistrate Judge